

REMARKS

Claims 1-8 are pending in this application. Claims 1-8 stand rejected. By this Amendment, claims 1 and 2 have been amended. The amendments made to the claims do not alter the scope of these claims, nor have these amendments been made to define over the prior art. Rather, the amendments to claims 1 and 2 have been made to improve the form thereof. In light of the amendments and remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

The Office Action objects to the title of the invention. Reconsideration of the objection is respectfully requested. Applicant's invention is directed to a Disk Tray Unit and a Disk Rotational Device. See figure 1-5. The preambles of claims 1-8 indicate that the claims are directed to a disk tray unit or a disk rotational device. As such, applicant respectfully submit that the title in the invention describes the claimed invention. Therefore, applicant respectfully request reconsideration and withdrawal of the objection to the title of the specification.

Claims 1-8 stand rejected under 35 USC § 102(b) as being anticipated by the U.S. Patent No. 5,930,218 ("Mitsui"). Applicant respectfully traverses this objection.

Among the limitations of independent claims 1 and 6 not present in Mitsui is "a disk holding member continuously formed on a peripheral wall of the recessed portion, the disk holding member having an edge of a smooth shape without unevenness and projecting toward an inner side of the recessed portion." Likewise, claim 6 requires "a disk holding member formed on a peripheral wall of the recessed portion, the disk holding member having a front end of a smooth shape without unevenness and projecting toward an inner side of the recessed portion."

As shown in Mitsui, specifically in figure 1, tongue parts 40-6, 40-9, and 40-13 are independent from each other. In other words, there are intervals between each of the tongue parts. As each of the tongue parts are spaced at intervals around the recessed portion of the disk tray, they do not anticipate the disk holding member continuously formed on a peripheral wall of the recessed portion. Therefore, Matsui fails to disclose the disk holding member having the edge of a smooth shape without unevenness and projecting toward an inner side of the recessed portion so that the edge faces a portion of the periphery of the disk accommodated in the recessed portion. Applicant respectfully submits that each of the pending claims is an immediate condition for allowance.

Claims 2-5 and 7-8 include all the limitations from the independent claim from which they depend. Therefore, each of these dependent claims is also an immediately condition for allowance.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Application No. 10/765,394

Docket No.: R2184.0298/P298

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

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Respectfully submitted,

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